



Rep. Sara Feigenholtz

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LRB096 18717 AJO 38110 a

1 AMENDMENT TO HOUSE BILL 6080

2 AMENDMENT NO. _____. Amend House Bill 6080 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Adoption Act is amended by changing Section
5 10 as follows:

6 (750 ILCS 50/10) (from Ch. 40, par. 1512)

7 Sec. 10. Forms of consent and surrender; execution and
8 acknowledgment thereof. A. The form of consent required for
9 the adoption of a born child shall be substantially as follows:

10 FINAL AND IRREVOCABLE CONSENT TO ADOPTION

11 I,, (relationship, e.g., mother, father, relative,
12 guardian) of, a ..male child, state:

13 That such child was born on at

14 That I reside at, County of and State of

15 That I am of the age of years.

16 That I hereby enter my appearance in this proceeding and

1 waive service of summons on me.

2 That I hereby acknowledge that I have been provided with a
3 copy of the Birth Parent Rights and Responsibilities-Private
4 Form before signing this Consent and that I have had time to
5 read, or have had read to me, this Form. I understand that if I
6 do not receive any of the rights as described in this Form, it
7 shall not constitute a basis to revoke this Final and
8 Irrevocable Consent.

9 That I do hereby consent and agree to the adoption of such
10 child.

11 That I wish to and understand that by signing this consent
12 I do irrevocably and permanently give up all custody and other
13 parental rights I have to such child.

14 That I understand such child will be placed for adoption
15 and that I cannot under any circumstances, after signing this
16 document, change my mind and revoke or cancel this consent or
17 obtain or recover custody or any other rights over such child.
18 That I have read and understand the above and I am signing it
19 as my free and voluntary act.

20 Dated (insert date).

21

22 If under Section 8 the consent of more than one person is
23 required, then each such person shall execute a separate
24 consent.

25 A-1. (1) The form of the Final and Irrevocable Consent to

1 Adoption by a Specified Person or Persons: Non-DCFS Case set
2 forth in this subsection A-1 is to be used by legal parents
3 only. This form is not to be used in cases in which there is a
4 pending petition under Section 2-13 of the Juvenile Court Act
5 of 1987.

6 (2) The form of the Final and Irrevocable Consent to
7 Adoption by a Specified Person or Persons in a non-DCFS case
8 shall have the caption of the proceeding in which it is to be
9 filed and shall be substantially as follows:

10 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

11 A SPECIFIED PERSON OR PERSONS; NON-DCFS CASE

12 I,, (relationship, e.g., mother, father) of, a
13 ..male child, state:

14 1. That such child was born on atCity ... and
15 State of.....

16 2. That I reside at, County of and State of

17 3. That I am of the age of years.

18 4. That I hereby enter my appearance in this proceeding and
19 waive service of summons on me.

20 5. That I hereby acknowledge that I have been provided a
21 copy of the Birth Parent Rights and Responsibilities-Private
22 Form before signing this Consent and that I have had time to
23 read, or have had read to me, this Form and that I understand
24 the Rights and Responsibilities described in this Form. I
25 understand that if I do not receive any of my rights as
26 described in said Form, it shall not constitute a basis to

1 revoke this Final and Irrevocable Consent to Adoption by a
2 Specified Person.

3 6. That I do hereby consent and agree to the adoption of
4 such child by (specified persons) only.

5 7. That I wish to and understand that upon signing this
6 consent I do irrevocably and permanently give up all custody
7 and other parental rights I have to such child if such child is
8 adopted by (specified person or persons). I hereby
9 transfer all of my rights to the custody, care and control of
10 such child to (specified person
11 or persons).

12 8. That I understand such child will be adopted by
13 (specified person or persons) and that
14 I cannot under any circumstances, after signing this document,
15 change my mind and revoke or cancel this consent or obtain or
16 recover custody or any other rights over such child if
17 (specified person or persons)
18 adopt(s) such child; PROVIDED that each specified person has
19 filed or shall file, within 60 days from the date hereof, a
20 petition for the adoption of such child.

21 9. That if the specified person or persons designated
22 herein do not file a petition for adoption within the
23 time-frame specified above, or, if said petition for adoption
24 is filed within the time-frame specified above but the adoption
25 petition is dismissed with prejudice or the adoption proceeding
26 is otherwise concluded without an order declaring the child to

1 be the adopted child of the specified person or persons, then I
2 understand that I may request the Court to declare this consent
3 voidable and return the child to me. I further understand that
4 the Court will make the final decision of whether or not the
5 child will be returned to me.

6 10. That I understand that I must request the return of the
7 child to me within 10 business days from the date that written
8 notice is sent to me. If I do not make such request within 10
9 business days of the date of the notice, then I expressly waive
10 any other notice or service of process in any legal proceeding
11 for the adoption of the child.

12 11. That I expressly acknowledge that nothing in this
13 Consent impairs the validity and absolute finality of this
14 Consent under any circumstance other than those described in
15 paragraph 9 of this Consent.

16 12. That I understand that I have a remaining duty and
17 obligation to keep (insert name and address of
18 the attorney for the specified person or persons) informed of
19 my current address or other preferred contact information until
20 this adoption has been finalized. My failure to do so may
21 result in the termination of my parental rights and the child
22 being placed for adoption in another home.

23 13. That I do expressly waive any other notice or service
24 of process in any of the legal proceedings for the adoption of
25 the child as long as the adoption proceeding by the specified
26 person or persons is pending.

1 14. That I have read and understand the above and I am
2 signing it as my free and voluntary act.

3 15. That I acknowledge that this consent is valid even if
4 the specified person or persons separate or divorce or one of
5 the specified persons dies prior to the entry of the final
6 judgment for adoption.

7 Dated (insert date).

8

9 Signature of parent

10

11 Address of parent

12

13 Phone number(s) of parent

14

15 Personal email(s) of parent

16 (3) The form of the certificate of acknowledgement for a
17 Final and Irrevocable Consent for Adoption by a Specified
18 Person or Persons: Non-DCFS Case shall be substantially as
19 follows:

20 STATE OF.....)

21 _____) SS.

22 COUNTY OF.....)

23 I, (Name of Judge or other person),

24 (official title, name, and address),

25 certify that, personally known to me to be the

1 same person whose name is subscribed to the foregoing Final and
2 Irrevocable Consent for Adoption by a Specified Person or
3 Persons; non-DCFS case, appeared before me this day in person
4 and acknowledged that (she)(he) signed and delivered the
5 consent as (her)(his) free and voluntary act, for the specified
6 purpose. I am further satisfied that has read, or has
7 had read to him or her, the Birth Parents Rights and
8 Responsibilities-Private Adoption Form.

9 A-2. Birth Parent Rights and Responsibilities-Private
10 Form. The Birth Parent Rights and Responsibilities-Private
11 Form must be read by, or have been read to, any person
12 executing a Final and Irrevocable Consent to Adoption under
13 subsection A, a Final and Irrevocable Consent to Adoption by a
14 Specified Person or Persons: Non-DCFS Case under subsection
15 A-1, or a Consent to Adoption of Unborn Child under subsection
16 B prior to the execution of said Consent. The form of the Birth
17 Parent Rights and Responsibilities-Private Form shall be
18 substantially as follows:

19 Birth Parent Rights and Responsibilities-Private Form

20 As a birth parent in the State of Illinois, you have the
21 right:

22 1. To have your own attorney represent you. The adoptive
23 parents may agree to pay for the cost of your attorney in a
24 manner consistent with Illinois law, but they are not required
25 to do so.

26 2. To be treated with dignity and respect at all times and

1 to make decisions free from coercion and pressure.

2 3. To receive counseling before and after signing a Final
3 and Irrevocable Consent to Adoption ("Consent") or a Final and
4 Irrevocable Consent to Adoption by a Specified Person or
5 Persons: Non-DCFS Case ("Specified Consent"). The adoptive
6 parents may agree to pay for the cost of counseling in a manner
7 consistent with Illinois law, but they are not required to do
8 so.

9 4. To ask to be involved in choosing your child's adoptive
10 parents and to ask to meet them.

11 5. To ask your child's adoptive parents any questions that
12 pertain to your decision to place your child with them.

13 6. To see your child before signing a Consent or Specified
14 Consent.

15 7. To request contact with your child and/or the child's
16 adoptive parents, with the understanding that any promises
17 regarding contact with your child or receipt of information
18 about the child after signing a Consent or Specified Consent
19 cannot be enforced under Illinois law.

20 8. To receive copies of all documents that you sign and
21 have those documents provided to you in your preferred
22 language.

23 9. To request that your identifying information remain
24 confidential, unless required otherwise by Illinois law or
25 court order, and to register with the Illinois Adoption
26 Registry and Medical Information Exchange.

1 10. To work with an adoption agency or attorney of your
2 choice, or change said agency or attorney, provided you
3 promptly inform all of the parties currently involved.

4 11. To receive, upon request, a written list of any
5 promised support, financial or otherwise, from your attorney or
6 the attorney for your child's adoptive parents.

7 12. To delay signing a Consent or Specified Consent if you
8 are not ready to do so.

9 13. To decline to sign a Consent or Specified Consent even
10 if you have received financial support from the adoptive
11 parents.

12 If you do not receive any of the rights described in this
13 Form, it shall not be a basis to revoke a Consent or Specified
14 Consent.

15 As a Birth Parent in the State of Illinois, you have the
16 responsibility:

17 1. To carefully consider your reasons for choosing
18 adoption.

19 2. To provide all known medical background and family
20 information about yourself and your immediate family to your
21 child's adoptive parents or their attorney.

22 3. (Birth mothers only) To accurately complete an Affidavit
23 of Identification, which identifies the father of the child
24 when known, with the understanding that a birth mother has a
25 right to decline to identify the birth father.

26 4. To not accept financial support or reimbursement of

1 pregnancy related expenses simultaneously from more than one
2 source.

3 B. The form of consent required for the adoption of an
4 unborn child shall be substantially as follows:

5 CONSENT TO ADOPTION OF UNBORN CHILD

6 I,, state:

7 That I am the father of a child expected to be born on or
8 about to (name of mother).

9 That I reside at County of, and State of

10 That I am of the age of years.

11 That I hereby enter my appearance in such adoption
12 proceeding and waive service of summons on me.

13 That I hereby acknowledge that I have been provided with a
14 copy of the Birth Parent Rights and Responsibilities-Private
15 Form before signing this Consent, and that I have had time to
16 read, or have had read to me, this Form. I understand that if I
17 do not receive any of the rights as described in this Form, it
18 shall not constitute a basis to revoke this Consent To Adoption
19 Of Unborn Child.

20 That I do hereby consent and agree to the adoption of such
21 child, and that I have not previously executed a consent or
22 surrender with respect to such child.

23 That I wish to and do understand that by signing this
24 consent I do irrevocably and permanently give up all custody
25 and other parental rights I have to such child, except that I
26 have the right to revoke this consent by giving written notice

1 of my revocation not later than 72 hours after the birth of the
2 child.

3 That I understand such child will be placed for adoption
4 and that, except as hereinabove provided, I cannot under any
5 circumstances, after signing this document, change my mind and
6 revoke or cancel this consent or obtain or recover custody or
7 any other rights over such child.

8 That I have read and understand the above and I am signing
9 it as my free and voluntary act.

10 Dated (insert date).

11

12 B-5. (1) The parent of a child may execute a consent to
13 standby adoption by a specified person or persons. A consent
14 under this subsection B-5 shall be acknowledged by a parent
15 pursuant to subsection H and subsection K of this Section. The
16 form of consent required for the standby adoption of a born
17 child effective at a future date when the consenting parent of
18 the child dies or requests that a final judgment of adoption be
19 entered shall be substantially as follows:

20 FINAL AND IRREVOCABLE CONSENT

21 TO STANDBY ADOPTION

22 I, ..., (relationship, e.g. mother or father) of, a
23 ..male child, state:

24 That the child was born on at

25 That I reside at, County of, and State of

26 That I am of the age of years.

1 That I hereby enter my appearance in this proceeding and
2 waive service of summons on me in this action only.

3 That I do hereby consent and agree to the standby adoption
4 of the child, and that I have not previously executed a consent
5 or surrender with respect to the child.

6 That I wish to and understand that by signing this consent
7 I do irrevocably and permanently give up all custody and other
8 parental rights I have to the child, effective upon (my death)
9 (the child's other parent's death) or upon (my) (the other
10 parent's) request for the entry of a final judgment for
11 adoption if (specified person or persons) adopt my child.

12 That I understand that until (I die) (the child's other
13 parent dies), I retain all legal rights and obligations
14 concerning the child, but at that time, I irrevocably give all
15 custody and other parental rights to (specified person or
16 persons).

17 I understand my child will be adopted by (specified
18 person or persons) only and that I cannot, under any
19 circumstances, after signing this document, change my mind and
20 revoke or cancel this consent or obtain or recover custody or
21 any other rights over my child if (specified person or
22 persons) adopt my child.

23 I understand that this consent to standby adoption is valid
24 only if the petition for standby adoption is filed and that if
25 (specified person or persons), for any reason, cannot
26 or will not file a petition for standby adoption or if his,

1 her, or their petition for standby adoption is denied, then
2 this consent is void. I have the right to notice of any other
3 proceeding that could affect my parental rights.

4 That I have read and understand the above and I am signing
5 it as my free and voluntary act.

6 Dated (insert date).

7

8 If under Section 8 the consent of more than one person is
9 required, then each such person shall execute a separate
10 consent. A separate consent shall be executed for each child.

11 (2) If the parent consents to a standby adoption by 2
12 specified persons, then the form shall contain 2 additional
13 paragraphs in substantially the following form:

14 If (specified persons) obtain a judgment of
15 dissolution of marriage before the judgment for adoption is
16 entered, then (specified person) shall adopt my child. I
17 understand that I cannot change my mind and revoke this consent
18 or obtain or recover custody of my child if (specified
19 persons) obtain a judgment of dissolution of marriage and
20 (specified person) adopts my child. I understand that I cannot
21 change my mind and revoke this consent if (specified
22 persons) obtain a judgment of dissolution of marriage before
23 the adoption is final. I understand that this consent to
24 adoption has no effect on who will get custody of my child if
25 (specified persons) obtain a judgment of dissolution of

1 marriage after the adoption is final. I understand that if
2 either (specified persons) dies before the petition to
3 adopt my child is granted, then the surviving person may adopt
4 my child. I understand that I cannot change my mind and revoke
5 this consent or obtain or recover custody of my child if the
6 surviving person adopts my child.

7 A consent to standby adoption by specified persons on this
8 form shall have no effect on a court's determination of custody
9 or visitation under the Illinois Marriage and Dissolution of
10 Marriage Act if the marriage of the specified persons is
11 dissolved before the adoption is final.

12 (3) The form of the certificate of acknowledgement for a
13 Final and Irrevocable Consent for Standby Adoption shall be
14 substantially as follows:

15 STATE OF)

16) SS.

17 COUNTY OF)

18 I, (name of Judge or other person) (official
19 title, name, and address), certify that, personally
20 known to me to be the same person whose name is subscribed to
21 the foregoing Final and Irrevocable Consent to Standby
22 Adoption, appeared before me this day in person and
23 acknowledged that (she) (he) signed and delivered the consent
24 as (her) (his) free and voluntary act, for the specified

1 purpose.

2 I have fully explained that this consent to adoption is
3 valid only if the petition to adopt is filed, and that if the
4 specified person or persons, for any reason, cannot or will not
5 adopt the child or if the adoption petition is denied, then
6 this consent will be void. I have fully explained that if the
7 specified person or persons adopt the child, by signing this
8 consent (she) (he) is irrevocably and permanently
9 relinquishing all parental rights to the child, and (she) (he)
10 has stated that such is (her) (his) intention and desire.

11 Dated (insert date).

12 Signature.....

13 (4) If a consent to standby adoption is executed in this
14 form, the consent shall be valid only if the specified person
15 or persons adopt the child. The consent shall be void if:

16 (a) the specified person or persons do not file a petition
17 for standby adoption of the child; or

18 (b) a court denies the standby adoption petition.

19 The parent shall not need to take further action to revoke
20 the consent if the standby adoption by the specified person or
21 persons does not occur, notwithstanding the provisions of
22 Section 11 of this Act.

23 C. The form of surrender to any agency given by a parent of
24 a born child who is to be subsequently placed for adoption
25 shall be substantially as follows and shall contain such other
26 facts and statements as the particular agency shall require.

1 FINAL AND IRREVOCABLE SURRENDER

2 FOR PURPOSES OF ADOPTION

3 I, (relationship, e.g., mother, father, relative,
4 guardian) of, a ..male child, state:

5 That such child was born on, at

6 That I reside at, County of, and State of

7 That I am of the age of years.

8 That I do hereby surrender and entrust the entire custody
9 and control of such child to the (the "Agency"), a
10 (public) (licensed) child welfare agency with its principal
11 office in the City of, County of and State of,
12 for the purpose of enabling it to care for and supervise the
13 care of such child, to place such child for adoption and to
14 consent to the legal adoption of such child.

15 That I hereby grant to the Agency full power and authority
16 to place such child with any person or persons it may in its
17 sole discretion select to become the adopting parent or parents
18 and to consent to the legal adoption of such child by such
19 person or persons; and to take any and all measures which, in
20 the judgment of the Agency, may be for the best interests of
21 such child, including authorizing medical, surgical and dental
22 care and treatment including inoculation and anaesthesia for
23 such child.

24 That I wish to and understand that by signing this
25 surrender I do irrevocably and permanently give up all custody
26 and other parental rights I have to such child.

1 That I understand I cannot under any circumstances, after
2 signing this surrender, change my mind and revoke or cancel
3 this surrender or obtain or recover custody or any other rights
4 over such child.

5 That I have read and understand the above and I am signing
6 it as my free and voluntary act.

7 Dated (insert date).

8

9 C-5. The form of a Final and Irrevocable Designated
10 Surrender for Purposes of Adoption to any agency given by a
11 parent of a born child who is to be subsequently placed for
12 adoption shall be substantially as follows and shall contain
13 such other facts and statements as the particular agency shall
14 require:

15 FINAL AND IRREVOCABLE DESIGNATED SURRENDER

16 FOR PURPOSES OF ADOPTION

17 I, (relationship, e.g., mother, father, relative,
18 guardian) of, a ..male child, state:

19 1. That such child was born on, at

20 2. That I reside at, County of, and State of
21

22 3. That I am of the age of years.

23 4. That I hereby enter my appearance in this proceeding and
24 waive service of summons on me.

25 5. That I do hereby surrender and entrust the entire
26 custody and control of such child to the (the "Agency"), a

1 (public) (licensed) child welfare agency with its principal
2 office in the City of, County of and State of,
3 for the purpose of enabling it to care for and supervise the
4 care of such child, to place such child for adoption with
5 (specified person or persons)
6 and to consent to the legal adoption of such child and to take
7 any and all measures which, in the judgment of the Agency, may
8 be for the best interests of such child, including authorizing
9 medical, surgical and dental care and treatment including
10 inoculation and anesthesia for such child.

11 6. That I wish to and understand that by signing this
12 surrender I do irrevocably and permanently give up all custody
13 and other parental rights I have to such child.

14 7. That if the petition for adoption is not filed by the
15 specified person or persons designated herein or, if the
16 petition for adoption is filed but the adoption petition is
17 dismissed with prejudice or the adoption proceeding is
18 otherwise concluded without an order declaring the child to be
19 the adopted child of each specified person, then I understand
20 that the Agency will provide notice to me within 10 business
21 days and that such notice will be directed to me using the
22 contact information I have provided to the Agency. I understand
23 that I will have 10 business days from the date that the Agency
24 sends me its notice to respond, within which time I may choose
25 to designate other adoptive parent(s). However, I acknowledge
26 that the Agency has full power and authority to place the child

1 for adoption with any person or persons it may in its sole
2 discretion select to become the adopting parent or parents and
3 to consent to the legal adoption of the child by such person or
4 persons.

5 8. That I acknowledge that this surrender is valid even if
6 the specified person or persons separate or divorce or one of
7 the specified persons dies prior to the entry of the final
8 judgment for adoption.

9 9. That I expressly acknowledge that the above paragraphs 7
10 and 8 do not impair the validity and absolute finality of this
11 surrender under any circumstance.

12 10. That I understand that I have a remaining obligation to
13 keep the Agency informed of my current contact information
14 until the adoption of the child has been finalized if I wish to
15 be notified in the event the adoption by the specified
16 person(s) cannot proceed.

17 11. That I understand I cannot under any circumstances,
18 after signing this surrender, change my mind and revoke or
19 cancel this surrender or obtain or recover custody or any other
20 rights over such child.

21 12. That I have read and understand the above and I am
22 signing it as my free and voluntary act.

23 Dated (insert date).
24

25 D. The form of surrender to an agency given by a parent of
26 an unborn child who is to be subsequently placed for adoption

1 shall be substantially as follows and shall contain such other
2 facts and statements as the particular agency shall require.

3 SURRENDER OF UNBORN CHILD FOR
4 PURPOSES OF ADOPTION

5 I, (father), state:

6 That I am the father of a child expected to be born on or
7 about to (name of mother).

8 That I reside at, County of, and State of

9 That I am of the age of years.

10 That I do hereby surrender and entrust the entire custody
11 and control of such child to the (the "Agency"), a
12 (public) (licensed) child welfare agency with its principal
13 office in the City of, County of and State of,
14 for the purpose of enabling it to care for and supervise the
15 care of such child, to place such child for adoption and to
16 consent to the legal adoption of such child, and that I have
17 not previously executed a consent or surrender with respect to
18 such child.

19 That I hereby grant to the Agency full power and authority
20 to place such child with any person or persons it may in its
21 sole discretion select to become the adopting parent or parents
22 and to consent to the legal adoption of such child by such
23 person or persons; and to take any and all measures which, in
24 the judgment of the Agency, may be for the best interests of
25 such child, including authorizing medical, surgical and dental
26 care and treatment, including inoculation and anaesthesia for

1 such child.

2 That I wish to and understand that by signing this
3 surrender I do irrevocably and permanently give up all custody
4 and other parental rights I have to such child.

5 That I understand I cannot under any circumstances, after
6 signing this surrender, change my mind and revoke or cancel
7 this surrender or obtain or recover custody or any other rights
8 over such child, except that I have the right to revoke this
9 surrender by giving written notice of my revocation not later
10 than 72 hours after the birth of such child.

11 That I have read and understand the above and I am signing
12 it as my free and voluntary act.

13 Dated (insert date).

14

15 E. The form of consent required from the parents for the
16 adoption of an adult, when such adult elects to obtain such
17 consent, shall be substantially as follows:

18 CONSENT

19 I,, (father) (mother) of, an adult, state:

20 That I reside at, County of and State of

21 That I do hereby consent and agree to the adoption of such
22 adult by and

23 Dated (insert date).

24

25 F. The form of consent required for the adoption of a child
26 of the age of 14 years or upwards, or of an adult, to be given

1 by such person, shall be substantially as follows:

2 CONSENT

3 I,, state:

4 That I reside at, County of and State of

5 That I am of the age of years. That I consent and agree to
6 my adoption by and

7 Dated (insert date).

8

9 G. The form of consent given by an agency to the adoption
10 by specified persons of a child previously surrendered to it
11 shall set forth that the agency has the authority to execute
12 such consent. The form of consent given by a guardian of the
13 person of a child sought to be adopted, appointed by a court of
14 competent jurisdiction, shall set forth the facts of such
15 appointment and the authority of the guardian to execute such
16 consent.

17 H. A consent (other than that given by an agency, or
18 guardian of the person of the child sought to be adopted who
19 was appointed by a court of competent jurisdiction) shall be
20 acknowledged by a parent before a judge of a court of competent
21 jurisdiction or, except as otherwise provided in this Act,
22 before a representative of an agency, or before a person, other
23 than the attorney for the prospective adoptive parent or
24 parents, designated by a court of competent jurisdiction.

25 I. A surrender, or any other document equivalent to a
26 surrender, by which a child is surrendered to an agency shall

1 be acknowledged by the person signing such surrender, or other
2 document, before a judge of a court of competent jurisdiction,
3 or, except as otherwise provided in this Act, before a
4 representative of an agency, or before a person designated by a
5 court of competent jurisdiction.

6 J. The form of the certificate of acknowledgment for a
7 consent, a surrender, or any other document equivalent to a
8 surrender, shall be substantially as follows:

9 STATE OF)

10) SS.

11 COUNTY OF ...)

12 I, (Name of judge or other person), (official
13 title, name and location of court or status or position of
14 other person), certify that, personally known to me to be
15 the same person whose name is subscribed to the foregoing
16 (consent) (surrender), appeared before me this day in person
17 and acknowledged that (she) (he) signed and delivered such
18 (consent) (surrender) as (her) (his) free and voluntary act,
19 for the specified purpose.

20 I have fully explained that by signing such (consent)
21 (surrender) (she) (he) is irrevocably relinquishing all
22 parental rights to such child or adult and (she) (he) has
23 stated that such is (her) (his) intention and desire. (Add if
24 Consent only) I am further satisfied that has read, or
25 has had read to him or her, the Birth Parents Rights and
26 Responsibilities-Private Adoption Form.

1 Dated (insert date).

2 Signature

3 K. When the execution of a consent or a surrender is
4 acknowledged before someone other than a judge, such other
5 person shall have his or her signature on the certificate
6 acknowledged before a notary public, in form substantially as
7 follows:

8 STATE OF)

9) SS.

10 COUNTY OF ...)

11 I, a Notary Public, in and for the County of, in the
12 State of, certify that, personally known to me to
13 be the same person whose name is subscribed to the foregoing
14 certificate of acknowledgment, appeared before me in person and
15 acknowledged that (she) (he) signed such certificate as (her)
16 (his) free and voluntary act and that the statements made in
17 the certificate are true.

18 Dated (insert date).

19 Signature Notary Public
20 (official seal)

21 There shall be attached a certificate of magistracy, or
22 other comparable proof of office of the notary public
23 satisfactory to the court, to a consent signed and acknowledged
24 in another state.

25 L. A surrender or consent executed and acknowledged outside

1 of this State, either in accordance with the law of this State
2 or in accordance with the law of the place where executed, is
3 valid.

4 M. Where a consent or a surrender is signed in a foreign
5 country, the execution of such consent shall be acknowledged or
6 affirmed in a manner conformable to the law and procedure of
7 such country.

8 N. If the person signing a consent or surrender is in the
9 military service of the United States, the execution of such
10 consent or surrender may be acknowledged before a commissioned
11 officer and the signature of such officer on such certificate
12 shall be verified or acknowledged before a notary public or by
13 such other procedure as is then in effect for such division or
14 branch of the armed forces.

15 O. (1) The parent or parents of a child in whose interests
16 a petition under Section 2-13 of the Juvenile Court Act of 1987
17 is pending may, with the approval of the designated
18 representative of the Department of Children and Family
19 Services, execute a consent to adoption by a specified person
20 or persons:

21 (a) in whose physical custody the child has resided for
22 at least 6 months; or

23 (b) in whose physical custody at least one sibling of
24 the child who is the subject of this consent has resided
25 for at least 6 months, and the child who is the subject of
26 this consent is currently residing in this foster home; or

1 (c) in whose physical custody a child under one year of
2 age has resided for at least 3 months.

3 A consent under this subsection O shall be acknowledged by a
4 parent pursuant to subsection H and subsection K of this
5 Section.

6 (2) The consent to adoption by a specified person or
7 persons shall have the caption of the proceeding in which it is
8 to be filed and shall be substantially as follows:

9 FINAL AND IRREVOCABLE CONSENT TO ADOPTION BY

10 A SPECIFIED PERSON OR PERSONS: DCFS CASE

11 I,, the
12 (mother or father) of amale child,
13 state:

14 ~~1.~~ My child (name of
15 child) was born on (insert date) at
16 Hospital in County, State of
17

18 ~~2.~~ I reside at, County of
19 and State of

20 ~~3.~~ I,, am years old.

21 ~~4.~~ I enter my appearance in this action to adopt my
22 child by the person or persons specified herein by me and
23 waive service of summons on me in this action only.

24 ~~5.~~ I consent to the adoption of my child by
25 (specified person or
26 persons) only.

1 ~~6.~~ I wish to sign this consent and I understand that by
 2 signing this consent I irrevocably and permanently give up
 3 all parental rights I have to my child if my child is
 4 adopted by (specified person
 5 or persons).

6 ~~7.~~ I understand my child will be adopted by
 7 (specified person or
 8 persons) only and that I cannot under any circumstances,
 9 after signing this document, change my mind and revoke or
 10 cancel this consent or obtain or recover custody or any
 11 other rights over my child if
 12 (specified person or persons) adopt my child.

13 ~~8.~~ I understand that this consent to adoption is valid
 14 only if the petition to adopt is filed within one year from
 15 the date that I sign it and that if
 16 (specified person or persons), for any reason, cannot or
 17 will not file a petition to adopt my child within that one
 18 year period or if their adoption petition is denied, then
 19 this consent will be voidable after one year upon the
 20 timely filing of my motion. If I file this motion before
 21 the filing of the petition for adoption, I understand that
 22 the court shall revoke this specific consent. I have the
 23 right to notice of any other proceeding that could affect
 24 my parental rights, except for the proceeding for
 25 (specified person or persons) to adopt my
 26 child.

1 ~~9.~~ I have read and understand the above and I am
2 signing it as my free and voluntary act.

3 Dated (insert date).

4

5 Signature of parent

6 (3) If the parent consents to an adoption by 2 specified
7 persons, then the form shall contain 2 additional paragraphs in
8 substantially the following form:

9 ~~10.~~ If (specified persons) get a
10 divorce before the petition to adopt my child is granted,
11 then (specified person) shall adopt my child. I
12 understand that I cannot change my mind and revoke this
13 consent or obtain or recover custody over my child if
14 (specified persons) divorce and
15 (specified person) adopts my child. I
16 understand that I cannot change my mind and revoke this
17 consent or obtain or recover custody over my child if
18 (specified persons) divorce after the
19 adoption is final. I understand that this consent to
20 adoption has no effect on who will get custody of my child
21 if they divorce after the adoption is final.

22 ~~11.~~ I understand that if either
23 (specified persons) dies before the petition to adopt my
24 child is granted, then the surviving person can adopt my
25 child. I understand that I cannot change my mind and revoke
26 this consent or obtain or recover custody over my child if

1 the surviving person adopts my child.

2 A consent to adoption by specified persons on this form
3 shall have no effect on a court's determination of custody or
4 visitation under the Illinois Marriage and Dissolution of
5 Marriage Act if the marriage of the specified persons is
6 dissolved after the adoption is final.

7 (4) The form of the certificate of acknowledgement for a
8 Final and Irrevocable Consent for Adoption by a Specified
9 Person or Persons shall be substantially as follows:

10 STATE OF.....)

11) SS.

12 COUNTY OF.....)

13 I, (Name of Judge or other person),
14 (official title, name, and address),
15 certify that, personally known to me to be the
16 same person whose name is subscribed to the foregoing Final and
17 Irrevocable Consent for Adoption by a Specified Person or
18 Persons, appeared before me this day in person and acknowledged
19 that (she)(he) signed and delivered the consent as (her)(his)
20 free and voluntary act, for the specified purpose.

21 I have fully explained that this consent to adoption is
22 valid only if the petition to adopt is filed within one year
23 from the date that it is signed, and that if the specified
24 person or persons, for any reason, cannot or will not adopt the

1 child or if the adoption petition is denied, then this consent
 2 will be voidable after one year upon the timely filing of a
 3 motion by the parent to revoke the consent. I explained that if
 4 this motion is filed before the filing of the petition for
 5 adoption, the court shall revoke this specific consent. I have
 6 fully explained that if the specified person or persons adopt
 7 the child, by signing this consent this parent is irrevocably
 8 and permanently relinquishing all parental rights to the child,
 9 and this parent has stated that such is (her) (his) intention
 10 and desire.

11 Dated (insert date).
 12
 13 Signature

14 (5) If a consent to adoption by a specified person or
 15 persons is executed in this form, the following provisions
 16 shall apply. The consent shall be valid only if that specified
 17 person or persons adopt the child. The consent shall be
 18 voidable after one year if:

19 (a) the specified person or persons do not file a
 20 petition to adopt the child within one year after the
 21 consent is signed and the parent files a timely motion to
 22 revoke this consent. If this motion is filed before the
 23 filing of the petition for adoption the court shall revoke
 24 this consent; or

25 (b) a court denies the adoption petition; or

26 (c) the Department of Children and Family Services

1 Guardianship Administrator determines that the specified
2 person or persons will not or cannot complete the adoption,
3 or in the best interests of the child should not adopt the
4 child.

5 Within 30 days of the consent becoming void, the Department
6 of Children and Family Services Guardianship Administrator
7 shall make good faith attempts to notify the parent in writing
8 and shall give written notice to the court and all additional
9 parties in writing that the adoption has not occurred or will
10 not occur and that the consent is void. If the adoption by a
11 specified person or persons does not occur, no proceeding for
12 termination of parental rights shall be brought unless the
13 biological parent who executed the consent to adoption by a
14 specified person or persons has been notified of the proceeding
15 pursuant to Section 7 of this Act or subsection (4) of Section
16 2-13 of the Juvenile Court Act of 1987. The parent shall not
17 need to take further action to revoke the consent if the
18 specified adoption does not occur, notwithstanding the
19 provisions of Section 11 of this Act.

20 (6) The Department of Children and Family Services is
21 authorized to promulgate rules necessary to implement this
22 subsection O.

23 (7) The Department shall collect and maintain data
24 concerning the efficacy of specific consents. This data shall
25 include the number of specific consents executed and their
26 outcomes, including but not limited to the number of children

1 adopted pursuant to the consents, the number of children for
2 whom adoptions are not completed, and the reason or reasons why
3 the adoptions are not completed.

4 P. If the person signing a consent is incarcerated or
5 detained in a correctional facility, prison, jail, detention
6 center, or other comparable institution, either in this State
7 or any other jurisdiction, the execution of such consent may be
8 acknowledged before social service personnel of such
9 institution, or before a person designated by a court of
10 competent jurisdiction.

11 Q. A consent may be acknowledged telephonically, via
12 audiovisual connection, or other electronic means, provided
13 that a court of competent jurisdiction has entered an order
14 approving the execution of the consent in such manner and has
15 designated an individual to be physically present with the
16 parent executing such consent in order to verify the identity
17 of the parent.

18 R. An agency whose representative is acknowledging a
19 consent pursuant to this Section shall be a public child
20 welfare agency, or a child welfare agency, or a child placing
21 agency that is authorized or licensed in the State or
22 jurisdiction in which the consent is signed.

23 (Source: P.A. 96-601, eff. 8-21-09.)

24 Section 99. Effective date. This Act takes effect on
25 January 1, 2011."